

AGI\_CEP\_Doc\_Withdraw\_as\_Counsel.Doc

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

|   |   |                  |
|---|---|------------------|
| -----x  | : | ECF CASE         |
| J & J SPORTS PRODUCTIONS, INC..   | : | 07 CV 8750 (AKH) |
| Plaintiff,  | : |                  |
| v.  | : |                  |
| SUPER SONIDO EL AGUILA INC. d/b/a El Aguila<br>Bar Lounge Restaurant, and ANNIE GUERRERO. | : |                  |
| Defendants.   | : |                  |
|   | : |                  |
|   | x |                  |

**DECLARATION OF CARL E. PERSON IN SUPPORT  
OF HIS MOTION TO WITHDRAW AS ATTORNEY  
FOR THE DEFENDANTS**

I, Carl E. Person, an attorney duly authorized to practice in the State of New York, do hereby declare, pursuant to the penalties of perjury under 28 U.S.C. § 1746, that the following statements are true and correct:

1. I am the withdrawing attorney for Defendants. Super Sonido El Aguila, Inc. and Annie Guerrero (the "Clients" or "Defendants"), in the above-captioned action (one of two related actions), am fully familiar with the facts stated herein, and make this declaration in support of my motion for an order
  - A. permitting me to withdraw as Defendants' attorney and an order so relieving me as counsel; and
  - B. a stay of all proceedings as to Defendants. until 30 days after service of the Order upon Defendants relieving Carl E. Person as counsel for Defendants.
  
2. In spite of my fee agreement with the Client dated November 14, 2007 and numerous efforts to try to get paid, I have not been paid at all for my services.

3. Defendants are not cooperating in their defense and we have an irreconcilable difference as to the way in which the litigation should proceed.

4. Because of the foregoing, I cannot effectively or professionally represent the Defendants any longer.

5. I am serving a copy of my moving papers on the Defendants at their last-known addresses, as set forth in the accompanying proof of service.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in New York, New York on February 11, 2008.



Carl E. Person

**CERTIFICATE OF SERVICE**

Carl E. Person hereby declares, pursuant to the penalties of perjury under 28 U.S.C. § 1746, that the following statements are true and correct:

I am not a party to this action, am over 18 years of age, and on February 11, 2008, I served a true copy of the foregoing **Declaration of Carl E. Person in Support of His Motion to Withdraw as Attorney for the Defendants** dated February 11, 2008 (the "Document") on Defendants and the attorneys for the Plaintiff (Paul J. Hooten & Associates), by mailing a copy of the Document to said persons as follows:

Annie Guerrero  
309 Avenue C  
Bayonne NJ 07002

Super Sonido El Aguila Inc.  
80 W. Kingsbridge Road  
Bronx NY 10468

Paul J. Hooten, Esq.  
Paul J. Hooten & Associates, Esq.  
5505 Nesconset Hwy - Suite 203  
Mt. Sinai, NY 11766

and by emailing on February 11, 2008 a copy of the Document to the Defendants at [guer541@aol.com](mailto:guer541@aol.com) and to the Plaintiff's attorney at [pjhooten@mindspring.com](mailto:pjhooten@mindspring.com).

I declare under penalty of perjury that the foregoing is true and correct.

Executed in New York, New York on February 11, 2008.

  
\_\_\_\_\_  
Carl E. Person